



## UNITED STATES PATENT AND TRADEMARK OFFICE

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Alexandria, Virginia 22313-1450  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/722,585	11/26/2003	Timothy J. McGann	38213.00010.CIP1

36183  
PAUL, HASTINGS, JANOFSKY & WALKER LLP  
P.O. BOX 919092  
SAN DIEGO, CA 92191-9092

CONFIRMATION NO. 5676

## FORMALITIES LETTER



\*OC000000013076320\*

Date Mailed: 06/25/2004

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

## Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 06/15/2004 to the Notice to File Missing Parts (Notice) mailed 03/11/2004 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$99 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$99 for a Small Entity

- Total additional claim fee(s) for this application is \$99
  - \$99 for 11 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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09/14/2004 JBALINAN 00000078 502613 10722585  
01 FC:2202 99.00 DA

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

**PaulHastings**

Paul, Hastings, Janofsky & Walker LLP  
12390 El Camino Real, San Diego, CA 92130  
telephone 858-720-2500 / facsimile 858-720-2555 / www.paulhastings.com

**FACSIMILE TRANSMISSION**

**from:** Noel C. Gillespie **facsimile:** (858) 720-2555 **telephone:** (858) 720-2655 **initials:** NCG

**client name:** Max Out Golf LLC **client matter number:** 38213.00010CIP1  
**date:** September 13, 2004 **pages (with cover):** 8

**to:** Office of Initial Patent Examination **company/office:** U.S. Patent and Trademark Office **facsimile:** (703) 746-4060 **telephone:** (703) 308-1202

Reference to U.S. Patent Application Serial No. 10/722,585, filed on November 26, 2003

Attached hereto please find:

Transmitted herewith is:

- ☒ Facsimile cover sheet (1 page);
- ☒ Copy of Notice of Notice of incomplete reply (2 pages);
- ☒ Petition for extension of time (2 pages); and
- ☒ Fee Transmittal (in duplicate).

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RECEIVED  
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Patent

38213.00010.CIP1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Timothy McGinn *et al.*  
Application No.: 10/722,585  
Filing Date: November 26, 2003  
Group Art Unit: 3711  
Confirmation: 5676  
No.:  
Examiner: TBD  
For: SYSTEMS AND METHODS  
FOR FITTING GOLF  
EQUIPMENT

## Certificate of Transmission under 37 CFR §1.8

I hereby certify that this correspondence is being facsimile transmitted (703) 746-4060 to the United States Patent and Trademark Office on the date set forth below.

Maria Carvalho

September 13, 2004  
Maria Carvalho  
Signature

TRANSMITTAL

## MAIL STOP OFFICE OF INITIAL PATENT EXAMINATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is:

- ☒ Facsimile cover sheet (1 page);
- ☒ Copy of Notice of Notice of incomplete reply (2 pages);
- ☒ Petition for extension of time (2 pages); and
- ☒ Fee Transmittal (in duplicate).

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayments to Deposit Account No. 50-2613 (Reference No. 38213.00010.CIP1.P1068).

Respectfully Submitted,

Dated: 13-Sept-04  
PAUL, HASTINGS, JANOFFSKY & WALKER LLP  
CUSTOMER NO. 36183

By: [Signature]  
Noel C. Gillespie  
Reg. No. 47,596

SEP 13 2004

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.**FEE TRANSMITTAL**  
**for FY 2004**

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT \$784.00

Complete if Known	
Application Number	10/722,585
Filing Date	November 26, 2003
First Named Inventor	Timothy McGann et al.
Examiner Name	TBD
Art Unit	3711
Attorney Docket No.	38213.0001D.CIP1

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☒ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number  
  
Deposit  
Account  
Name

50-2613

Paul, Hastings, Janofsky &amp; Walker LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☒ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	180	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$)					

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
31	11	\$9.00	\$99.00
3	0	0	0
Multiple Dependent		0	0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)				89.00

\*\* or number previously paid, if greater; For Reissues, see above.

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Equity		Small Equity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	85	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	\$685.00
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1480	130	1480	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(g)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	800	Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					\$) 685.00

**SUBMITTED BY**

Name (Print/Type)

Noel C. Gillespie

Registration No.  
(Attorney/Agent)

47,598

Telephone 858-720-2500

Signature

Date September 13, 2004

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

The collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.